IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.379 Of 2003

State of Maharashtra, .. Appellant
Vs
1. Bharat Ramchandra Shinde and ors Respondents

Mr A.S.Shitole, APP for the appellant.

CORAM : D.B.BHOSALE, J.

DATED : 26th JUNE, 2006

P.C.:

1. Heard the learned A.P.P for the appellant. None appears for the respondents.

2. This appeal is directed against the judgment and order of acquittal of the offence punishable under sections 498-A, 504, 506 r/w 34 of IPC. The husband and his old parents of 74 and 64 were tried for the aforesaid offences and acquitted by the impugned judgment. The trial Court, on appreciation of the evidence on record, held that no offence against the respondents, is proved beyond reasonable doubt. It appears that the complainant had left the matrimonial house on 22.4.2001 and filed the complaint under the aforesaid sections after more than one month. Admittedly, the in-laws of the complainant were residing separately. While leaving the house she did not take her small children with her and they continued to stay with her husband. The trial Court

has observe that the allegations made against the respondents are of general character. Considering the reasons recorded by the Court below, on appreciation of the evidence on record, the impugned judgment cannot be said to be unreasonable and perverse. The view taken by the trial Court, on the basis of the material on record, is a reasonably possible view. Merely because the second view is possible on the basis of the same set of facts that, by itself, cannot be a ground to interfere with the order of acquittal. In the circumstances, the appeal is dismissed.

(D.B.BHOSALE,J.)